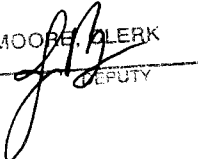


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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : DOCKET NO. 2:11 CR 00153-002

VS. : JUDGE MINALDI

CONSTANDI LUBBAT : MAGISTRATE JUDGE KAY

Memorandum Ruling

Before the court are several objections filed by the defendant to the Presentence Report (“PSR”) prepared by the Probation Department. The Government, through AUSA James McManus, has indicated that he concurs with the defendant’s contention that the actual loss attributable to Lubbat should be \$168,200.00. The victim, L’Auberge du Lac Casino, does not dispute this amount.

Accordingly, the court will grant the defendant’s objections. Allowing a credit for \$12,000 in chips that were returned by the defendant, the amount of restitution will be \$156,200.00. This results in a total offense level of 13, with a criminal history category of I. The guideline range is 12-18 months.

Lake Charles, Louisiana, this 13 day of December, 2012.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE